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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/06/2001

Jin Guo

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06/16/2004

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EXAMINER

RAMPURIA, SHARAD K

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 06/16/2004

3

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/923,501

Applicant(s)

GUO ET AL.

Examiner

Sharad Rampuria

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2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 13-22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____.  |

## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I, claim(s) 1-12, drawn to A user interface for a portable electronic device comprising keys for a linear character stroke and a non-linear character stroke, classified in class 455, subclass 566.

Group II, claim(s) 13-22, drawn to A user interface for a portable electronic device use to perform a particular ideographic character, classified in class 345, subclass 171.

Inventions A user interface for a portable electronic device comprising keys for a linear character stroke and a non-linear character stroke and a particular ideographic character are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)).

2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

A telephone call was made to Mr. Hisashi D. Watanabe on June 9<sup>th</sup> 2004 to request an oral election to the above restriction requirement, and he elected Group I.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over, Zheng et al. (hereinafter Zheng) in view of Kato et al. (hereinafter Kato).

1. Regarding Claim 1, Zheng disclosed wherein each key of the first row represents a linear character stroke, each key of the third row represents a non-linear character stroke, and the second row includes at least one key representing a linear characters stroke and at least one key representing a non-linear character stroke. (col.5; 54-col.6; 20). Zheng *does not disclose*

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*expressly*, the rows, however he disclosed a keypad. (fig.6; col.15; 21-35) which includes the three rows.

Zheng fails to disclosed A user interface for a portable electronic device. However, Kato teaches in an analogous art, that A user interface for a portable electronic device (1; fig.1; col.14; 36-42) comprising a first row (21; fig.2) of input keys, a second row (27; fig.2) of input keys adjacent to the first row, and a third row (24; fig.2) of input keys adjacent to the second row. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to include A user interface for a portable electronic device in order to provide keypad for Chinese characters in portable device.

2. Regarding Claim 2, Zheng disclosed The user interface of claim 1, wherein the second row includes at least one key representing a dot. (col.5; 60-67)

3. Regarding Claim 3, Zheng disclosed The user interface of claim 1, wherein said angular character strokes include a clockwise hook component, a counter-clockwise hook component, a clockwise angular component, and a counter-clockwise angular component. (col.5; 54-col.6; 20)

4. Regarding Claim 4, Zheng disclosed The user interface of claim 3, wherein:  
the clockwise hook component includes a substantially downward line having an end portion that hooks to the left; the counter-clockwise hook component includes a substantially downward line having an end portion that hooks to the right; the clockwise angular component includes a substantially rightward line having an end portion that angles downward; and the counter-

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clockwise angular component includes a substantially downward line having an end portion that angles to the right. (col.5; 54-col.6; 20)

5. Regarding Claim 5, Zheng disclosed The user interface of claim 1, wherein said linear character strokes include a substantially horizontal component, a substantially vertical component, a leftward slant component, and a rightward slant component. (col.5; 54-col.6; 20)

6. Regarding Claim 6, Zheng disclosed The user interface of claim 5, wherein:  
the substantially horizontal component is directed rightward; the substantially vertical component is directed downward; the leftward slant component is directed downward and to the left; and the rightward slant component is directed downward and to the right. (col.5; 54-col.6; 20)

Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over, Yu in view of Kato et al. (hereinafter Kato).

7. Regarding Claim 7, Yu disclosed a group of nine input keys representing numbers 1 through 9, wherein input key 7, input key 8 and input key 9 also represent non-linear character strokes. (fig.8; col.4; 53-64)

Yu fails to disclosed A user interface for a portable electronic device. However, Kato teaches in an analogous art, that A user interface for a portable electronic device (1; fig.1; col.14; 36-42). Therefore, it would have been obvious to one of ordinary skill in the art at the time of

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invention to include A user interface for a portable electronic device in order to provide keypad for Chinese characters in portable device.

8. Regarding Claim 8, Yu disclosed The user interface of claim 7, wherein input key 1, input key 2 and input key 3 also represent linear character strokes. (fig.8; col.4; 53-64)

9. Regarding Claim 9, Yu disclosed The user interface of claim 7, wherein input key 4 represents a dot. (fig.8; col.4; 53-64)

10. Regarding Claim 10, Yu disclosed The user interface of claim 7, wherein input key 5 represents a non-linear character stroke. (fig.8; col.4; 53-64)

11. Regarding Claim 11, Yu disclosed The user interface of claim 7, wherein input key 6 also represents a linear character stroke. (fig.8; col.4; 53-64)

12. Regarding Claim 12, Yu disclosed The user interface of claim 7, wherein the group of nine input keys are arranged in three rows and three columns to form a three-by-three matrix of input keys. (fig.8; col.4; 53-64) Yu *does not disclose expressly*, a three-by-three matrix of input keys, however he disclosed a keypad. (fig.8) which includes a three-by-three matrix of input keys.

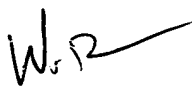
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is 703-308-4736. The examiner can normally be reached on Mon-Fri. (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Sharad Rampuria  
June 9, 2004

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600